

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application:

Examiner T. PeesoArt Unit 2764

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/644,072 filed on May 9, 1996.

of Antonio M. Monteiro and James F. Butterworth

(inventor(s) currently of record in prior application)

for MULTICASTING METHOD AND APPARATUS

(title of invention)

1. ☒ The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	1	-20	0	\$22.00 each	0.00
Independent	1	-3	0	\$82.00 each	0.00
Basic Fee					790.00
Multiple Dependency Fee If Applicable (\$270.00)					
Total					790.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- 395.00
Total Filing Fee					\$ 395.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a ☒ continuation, ☐ division, of application no. 08/644,072, filed May 9, 1996, and such application is hereby incorporated by reference.

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no.  $\phi\phi$  filed on  $\phi\phi$  in  $\phi\phi$  is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no.  $\phi\phi$ , filed  $\phi\phi$ .
6. ☒ The prior application is assigned of record to Netcast Communications Corp., 9 DesBrosses Street, New York, New York 10013 (Reel/Frame 8080/0937).
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 08/644,072, filed May 9, 1996.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no.  $\phi\phi$ , filed  $\phi\phi$  is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no.  $\phi\phi$ , filed on  $\phi\phi$  be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no.  $\phi\phi$  is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no.  $\phi\phi$  is the same as the content of the computer readable form submitted in application no.  $\phi\phi$ .
10. ☒ A Small Entity Statement was filed in the prior application, and such status is still proper and desired.
11. ☒ Please cancel original claims 2-37 in the prior application without prejudice before calculating the filing fee.

Respectfully submitted,

ANDREW SANDOZ  
REG. NO. 40,433

July 6, 1998

(date)

FRANCIS E. MORRIS 24,615

Frank E. Morris

(Reg No.)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Monteiro et al.

Application No.: N/A  
Continuation of Pending Prior  
Application 08/644,072 Filed  
May 9, 1996

Group Art Unit: 2764

Examiner: T. Peeso

Attorney Docket No.: 8850-004

Filed: July 6, 1998

For: MULTICASTING METHOD AND  
APPARATUS

SUBMISSION OF REQUEST TO FILE CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(B)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please find enclosed a request to file a  
continuation application under 37 C.F.R. § 1.53(b) of prior  
pending application 08/644,072 filed May 9, 1996.

A Preliminary Amendment adding claims will be filed  
shortly. If the Examiner receives the continuation file and  
is ready to act on the file before such Preliminary Amendment  
has been entered in the file, applicant respectfully requests  
that the Examiner give the undersigned, Andrew Sanders, a call  
at (212) 790-2943 so that such amendment can be expeditiously  
faxed to the Examiner before examination on the merits.

Respectfully submitted,

ANDREW SANDERS  
REG. No. 40,433

Date July 6, 1998

FOR FRANCIS E. MORRIS 24,615  
Francis E. Morris (Reg. No.)

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